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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/648,329

08/27/2003

Sung-Ro Go

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EXAMINER

GIESY, ADAM

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

08/31/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/648,329	<b>Applicant(s)</b> GO, SUNG-RO	
	<b>Examiner</b> ADAM R. GIESY	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,15 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-5, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bradford (USPN 3423524).

Regarding claim 1, Bradford discloses a disc drive which records data on a disc, the disc drive comprising: a clock generator which generates a clock signal that is synchronized with a transmission speed of a received signal (Figure 3, elements 32 and 46 – note that the clock signal generated by 32 is synchronized with the sync pulses of the incoming data signal – see elements 45 and 46); a pickup unit which records recording data corresponding to the received signal on the disc (16); a recording processing unit which converts the received signal into the recording data by synchronizing with a clock signal generated from the clock generator and provides the converted recording data to the pickup unit (44 – note that while the source 44 transmits the signal to the pickup 16, the sync pulses 45 and the clock 32 are synced through the phase detector 46); a spindle motor which rotates the disc (12); a spindle motor driving unit which controls a rotation speed of the spindle motor by using the clock signal generated from the clock generator (43); and a decoder which detects an identifying signal indicating a transmission speed of the received signal, provides the detected

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identifying signal to the clock generator, transmits the received signal to the recording processing unit, and the clock generator generates the clock signal that is synchronized with the identifying signal (45 – note that the sync separator determines the sync pulses which are synced with the tachymeter disc 14; Examiner asserts that since the sync signals are evenly spaced pulses, the sync signal will inherently indicate a transmission rate), wherein the received signal is from a channel receiver without a medium between the channel receiver and the disc drive to interface the transmission speed of the received signal outputted from the channel receiver with a recording speed of the disc drive (see Figure 3 – Examiner notes that there is no medium between the channel receiver and the disc drive; see Response to Arguments below).

Regarding claim 3, Bradford discloses all of the limitations of claim 1 as discussed in the claim 1 rejection above and further that the identifying signal is a periodic signal (see column 10, lines 38-42 – note that a sync pulse is periodic).

Regarding claim 4, Bradford discloses all of the limitations of claim 1 as discussed in the claim 1 rejection above and further that the recording processing unit comprises an encoder which encodes the received signal (inherently disclosed by Figure 3, element 44; see column 10, line 70 thru column 11, line 17 – note that the channel receiver outputs a composite video signal which must inherently be encoded in order to be recorded by element 16 in Figure 3).

Regarding claim 5, Bradford discloses all of the limitations of claim 1 as discussed in the claim 1 rejection above and further that the clock generator comprises a phase locked loop circuit (inherently disclosed – see column 9, lines 8-10).

Regarding claim 15, Bradford discloses a method of controlling a recording speed of a disc drive capable of recording data on a disc, comprising: generating a clock signal that is synchronized with a transmission speed of a received signal (Figure 3, elements 32 and 46 – note that the clock signal generated by 32 is synchronized with the sync pulses of the incoming data signal – see elements 45 and 46); converting the received signal into recording data that is to be recorded on the disc by synchronizing with the clock signal (column 10, lines 32-44); recording the converted recording data on the disc (see column 10, line 10 ); and controlling a rotation speed of a spindle motor that rotates the disc by synchronizing with the clock signal (column 10, lines 24-31), wherein the received signal is from a channel receiver without a medium between the channel receiver and the disc drive to interface the transmission speed of the received signal outputted from the channel receiver with a recording speed of the disc drive (see Figure 3 – Examiner notes that there is no medium between the channel receiver and the disc drive; see Response to Arguments below), and wherein the generating the clock signal comprises: detecting an identifying signal capable of indicating the transmission speed of the received signal (performed by Figure 3, elements 32, 46, and 45; see also column 10, lines 32-44) and generating a clock signal that is synchronized with the identifying signal (column 10, lines 32-44).

Regarding claim 17, Bradford discloses all of the limitations of claim 16 as discussed in the claim 16 rejection above and further that the identifying signal is a periodic signal (see column 10, lines 38-42 – note that a sync pulse is periodic).

***Response to Arguments***

3. Applicant's arguments filed 5/14/2009 have been fully considered but they are not persuasive.

Applicant, on pages 5-6 of the Response mailed on 5/14/2009, argue that Bradford does not disclose a decoder which detects an identifying signal indicating a transmission speed. Examiner respectfully disagrees. Examiner notes that Bradford discloses a synch separator for detecting sync pulses in the information signal. Examiner notes that since the sync pulses are periodic within the information signal, the frequency with which the sync pulses arrive inherently denotes a transmission speed of the information signal.

Applicant further argues that Bradford does not disclose that the received signal is from a channel receiver without a medium between the channel receiver and the disc drive. Examiner respectfully disagrees. Examiner notes that Bradford does disclose a timing disc or tachymeter disc (Figure 3, element 14) but that that is part of the disc drive and not located between the channel receiver and the disc drive as recited in the claim. Examiner also asserts that no information is recorded on the disc and that it is purely used to aid in the determination of the spindle motor speed. Examiner further notes that Applicant defines "medium" as 'a personal computer or a high capacity memory such as a hard disc' (see paragraph 0005 of instant specification).

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM R. GIESY whose telephone number is (571)272-7555. The examiner can normally be reached on 8:00am- 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARG 8/25/2009

/Adam R. Giesy/  
Examiner, Art Unit 2627

/Wayne Young/  
Supervisory Patent Examiner, Art Unit 2627

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